

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

AUGUST 17, 2009

Study Session

City Manager Jon Crusey opened the Study Session at 6:30 p.m. on this date.

Roll Call

Council Members in attendance included: George H. Lovett, President Patrick A. Hale, John E. Kessler, Dolores Gillis, Bill Beagle, and Vickie Blakey.

Others in attendance: Assistant Director of Utilities Christy Butera, Utility Billing Supervisor Stacie Brown, Finance Director Richard Drennen, Utilities Director Mo Eichman, Law Director Joseph Moore, Meter Reader Marie Hellman, Matt Conover, Don Ochs, Kathy Taylor, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Cathy Ross.

Discussion – Field Use Policy

Kathy Taylor from Community Services discussed with Council a change that Community Services would like to make to the Field Use Policy. This change is located in Category C and spells out which organizations qualify as non-profit organizations within Tipp City ad/or Monroe Township. Council had no problem with making this change.

Water Tower Property

Mr. Eichman explained that the agenda for tonight's meeting contains the transfer of property to Community Bible Church of two parcels which were acquired in 1987 for proposed Tower Drive, which was never constructed. Mr. Eichman added that this property is only used to maintain the water line. Mr. Moore stated that the agreement allows us to maintain easement and foregoes any cost to the City in regards to the driveway the church would like to install.

Water Rules and Regs/

Mrs. Butera reviewed a Powerpoint presentation regarding the Water Rules and Regulations and explained that the City would like to combine the administrative policy into this policy. She added that this is a 30 year old policy and is very out of date.

Estimating Utility Bills

Mrs. Brown reviewed a Powerpoint presentation regarding estimated billing and explained that the Utilities Department would like to eliminate estimated billing. Mrs. Brown stated that they have received many complaints from residents and landlords regarding estimated billing. She also reviewed with Council the various costs involved in correcting estimated bills. Council agreed that this was worth a try, but was apparently not working out as well as expected. Therefore, a motion will be added to the agenda to eliminate estimated billing.

Tippecanews/ Communication

Council also discussed changing the Tippecanews back to a monthly publication to improve communications with residents. A motion will be added to the agenda. Mr. Crusey discussed other forms of communication such as Facebook and Twitter and Mrs. Blakey suggested a blog or some other way to maintain an open forum. Mr. Crusey stated that he would like to have one way communication in the beginning and eventually move into an open forum direction.

Adjournment

The study session concluded at 7:40 p.m.

President Hale made a motion to move the Executive Session prior to the Council meeting. Motion was seconded by Mrs. Blakey and unanimously approved.

Patrick A. Hale, President of Council

Attest: _____
Cathy Ross, Clerk of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

AUGUST 17, 2009

Roll Call

President Patrick A. Hale called to order the regular meeting of the Tipp City Council at 7:31 p.m. Roll call showed the following Councilmembers present: George H. Lovett, President Patrick A. Hale, Dolores Gillis, Vickie Blakey, William Beagle, and John E. Kessler.

Others in attendance: Assistant Director of Utilities Christy Butera, Finance Director Richard Drennen, Utilities Director Mo Eichman, Matt Conover, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Cathy Ross.

Guests signing the register included: Donald Ochs, Bob Steggemann, Steve Chaney, Father Marc Sherlock, Joe Gibson, and Chris Hypes

Excuse Mayor Evans

President Hale made a motion to excuse Mr. Evans from the meeting. Motion was seconded by Mr. Beagle and unanimously approved.

Invocation and Pledge of Allegiance

Father Marc Sherlock delivered the invocation and President Hale led the Pledge of Allegiance.

Approval of Agenda

President Hale made a motion to amend the agenda to move the Executive Session from the end of the meeting to right after the roll call. President Hale added Motion D – A motion to amend Resolution 6-09 and deleting the line for the Tippecanews thereby reinstating it to be published every month and also deleting the line regarding estimating billing so that estimated billing is no longer being done. Motion was seconded by Mrs. Blakey. Motion was unanimously approved.

Mr. Lovett made a motion to approve the amended agenda; motion was seconded by Mr. Beagle and unanimously approved.

Adoption of Minutes

Mrs. Gillis moved, seconded by Mr. Kessler, to approve the minutes of the August 3, 2009 pre-meeting study session. The motion carried 6-0.

Mr. Kessler moved, seconded by Mr. Beagle, to approve the minutes of the August 3, 2009 meeting. The motion carried 6-0.

There were none.

Presentations, Proclamations, and Awards

Ordinance (Second Reading) Ordinance 21-09 Code Amendment

The following ordinances were presented to City Council for adoption.

An ordinance directing the City to restore the leaf removal service and instituting a fee for the collection and removal of leaves.

Clerk of Council Summary: This ordinance restores the leaf removal

service and requires that each residential refuse customer pay a fee of \$0.64 per month for leaf collection services effective October 1, 2009.

City Manager's Report: The adoption of this ordinance would restore leaf collection service and initiate a leaf removal fee of \$0.64 per month per residential refuse customer. Leaf collection was previously discontinued as a cost saving measure pursuant to Resolution 6-09. City Council reviewed various proposals and options for resuming leaf collection at its June 1, 2009 Study Session.

President Hale requested that City Engineer Vagedes step forward and answer the following: President Hale asked Mr. Vagedes how long the land we currently have will hold out for leaf disposal. Mr. Vagedes stated approximately 4-5 years. President Hale then questioned Mr. Steggemann, Superintendent of Streets, regarding the availability of parts for the leaf pickup equipment. Mr. Steggemann reported that he checked with two companies who assured him that parts would still be available for both machines. President Hale asked Mr. Steggemann how long he believed this equipment last. Mr. Steggemann stated 2-4 years. President Hale asked what the Street budget is annually. Mr. Drennen stated that it is around \$250,000. President Hale stated he would be voting no on this ordinance due to the answers on the above questions and because Council is looking to pass an income tax credit reduction. Mrs. Blakey stated that we charge for trash pick-up and she views leaves as trash. She added that the County Commissioners asked for \$5,000 to retain transportation to those who need assistance and we declined. Mrs. Blakey stated she would rather have a solution in place for leaf pick-up and disposal. There being no further discussion, Mrs. Blakey sponsored this ordinance and moved for its adoption, seconded by Mr. Kessler. Mrs. Blakey stated she was glad to see that we are getting it back in place and that we have the revenue strength to get it back in place. Mrs. Gillis stated she will be voting no because she doesn't believe we should be charging residents for this service. The motion carried with a 4-2 vote. Mrs. Gillis and President Hale cast the dissenting votes. Ordinance 21-09 was declared passed and President Hale affixed his signature in witness thereto.

**Resolutions
(One Reading Required)**

There were none.

**Ordinance First Reading
Sale of Property**

Mr. Beagle sponsored an ordinance authorizing the City Manager to transfer certain real property (net +/- 0.418 total acre sale) within the Western property line of 1427 West Main Street, City of Tipp City, Miami County, Ohio.

Clerk of Council Summary: This ordinance allows the City to sell land to the Community Bible Church.

City Manager Comments: The adoption of this ordinance would authorize the transfer of two parcels totaling 0.418 acres along the west property line of 1427 West Main Street to Community Bible Church. This property was acquired in 1987 for the purpose of extending proposed Tower Drive. However, due to a change in the thoroughfare plan the roadway was never constructed. A combined drive for Bowling Moorman and Community Bible Church currently occupies the property in question. The City would retain a permanent utility easement over the property due to the presence of an

existing water main.

Tax Rates

Mr. Lovett sponsored an ordinance accepting the amounts and tax rates as determined by the Miami County Budget Commission, authorizing the regular statutory tax levies authorized and allowed by law thereby for the Municipality of Tipp City, for such fiscal year beginning January 1, 2010 and certifying such levies to the County Auditor.

Clerk of Council Summary: This ordinance sets the rate for the Property Tax Levy to be collected in 2010.

City Manager Comments: The Miami County Budget Commission is scheduled to meet the last week of August to approve the City's authorized "inside" millage property tax rate for 2010. Our current levy millage is 1.4 mills. Inside millage refers to the 10 mill property tax limitation that can be established without voter approval. The ten-mill limitation prohibits the imposition of a property tax in excess of one percent of the value of the property, except as provided by vote of the people or by charter of a municipal corporation. Various taxing units may seek to levy taxes on the same property, but the total amount of unnoted taxes actually levied may not exceed ten mills. The county budget commission is responsible for considering tax budgets submitted by the various taxing units and determining the amounts of taxes each taxing unit may levy. Inside millage is not rolled back like voter approved millage to account for increased in property valuation. The City receives approximately \$0.03 of every property tax dollar collected.

Income Tax

Mr. Kessler sponsored an ordinance relating to the municipal income tax and amending Ordinance No. 40-72.

Clerk of Council Summary: This ordinance amends Section 39.50 of the Tipp City Municipal Code relating to income tax credit reduction.

City Manager Comments: The adoption of this ordinance would reduce the income tax credit granted to residents who pay a municipal income tax to another municipality. The Finance Department estimates that 40% of Tipp City residents pay Tipp City local income taxes while 60% of residents pay local income taxes to another municipality. Currently, residents are granted a 1.25% (Tipp City's municipal income tax rate) credit for municipal income taxes paid to another municipality. In other words, if a resident pays a municipal income tax of 1.25% or higher to another municipality then that resident does not pay any municipal income tax to the City of Tipp City. This ordinance would reduce the income tax credit to 0.75% effective January 1, 2010 and to 0.50% effective January 1, 2013. The 10-year, 0.25% Park Levy is scheduled to expire December 31, 2012 whereby Tipp City's income tax rate will revert to 1.00%. This ordinance would require all residents who pay a local income tax to another municipality to pay the City of Tipp City an income tax of at least 0.50%. This change would not affect non-wage earners, such as retirees. The income tax credit reduction is scheduled to expire December 31, 2025 (15 years).

Mrs. Blakey asked that Mr. Crusey give an example of who might be affected by this. Mr. Crusey stated that if you work in the City of Troy currently you pay 1.75% to the City of Troy and we give you a credit of 1.25%,

then you don't pay anything to Tipp City. Under the revised ordinance, they would still pay the City of Troy 1.75% and they would have to pay the City of Tipp City an additional .5% of their earned wages. Mr. Crusey stated that if you are making \$50,000 per year, the affect is \$250.00.

Motions

Mrs. Gillis made a motion to approve the residency requirement for Emergency/Disaster Response positions. Motion was seconded by President Hale and unanimously approved.

A motion to make two appointments to the Cable Access Commission for a term expiring April 30, 2011. Mr. Beagle nominated Mr. Werts, and Mr. Lovett nominated Mrs. Pittenger. Mr. Beagle made a motion to close the nominations, seconded by Mr. Lovett and unanimously approved. Mr. Werts and Mrs. Pittenger were appointed to the Cable Access Commission with a 6-0 vote.

Mrs. Blakey made a motion to set a public hearing for October 5, 2009 for the rezoning of Inlot 2349 from R-1 (Residential) to OS (Office Service). Motion was seconded by President Hale and unanimously approved.

President Hale made a motion, seconded by Mr. Kessler, to amend Resolution 06-09 eliminate the line referring to the Tippecanews thereby reinstating it to be published every month. Motion was seconded by Mr. Kessler. Motion was approved 6-0.

President Hale made a motion to amend Resolution 06-09 to remove the line referring to Estimated Billing. Motion was seconded by Mr. Beagle and approved 6-0.

Citizen Comments

There were none.

**Councilmember
Comments**

Mrs. Blakey stated if you have any concerns regarding the Ordinance regarding the income tax credit reduction please come to the September 21st meeting, contact Councilmembers, or call into the City Building.

City Manager Comments

Mr. Crusey stated that income tax collections for the month of July were down 23%, almost \$68,000. He added that attendance and revenue at the pool is also down due to bad weather but that the pool experienced a good week last week due to the heat. We did make some ground last week but it does appear that we will need to supplement the pool more than last year.

Mrs. Blakey questioned whether wheelchair accessibility to the basketball court had been investigated. Mr. Vagedes replied that this construction would be done by the Parks and Street Departments plan on installing this off the bike trail piece and interested parties will be notified.

Adjournment

Mr. Kessler made a motion, seconded by Mrs. Blakey and unanimously approved to adjourn the meeting at 8:00 p.m.

Patrick A. Hale, President of Council

Attest: _____
Cathy Ross, Clerk of Council